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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,482	06/25/2001	Ryusuke Yamaguchi	01381/LH	9125
1933	7590	10/05/2004	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC			GIBBS, HEATHER D	
767 THIRD AVENUE			ART UNIT	
25TH FLOOR			PAPER NUMBER	
NEW YORK, NY 10017-2023			2622	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/888,482

Applicant(s)

YAMAGUCHI, RYUSUKE

Examiner

Heather D Gibbs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 11, 12 and 21 is/are rejected.
- 7) ☒ Claim(s) 3-10, 13-20, 22-29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2,11-12,21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto (US 6,097,852) in view of Horigome et al (US 6,650,441).

Considering claim 1, which is representative of claims 11,21, Yamamoto discloses A document reading apparatus comprising: a document table for supporting a single document 29; a document tray 30 for receiving a stack of documents; a line sensor 218 for reading an image from each of the documents units of lines parallel a main scanning direction; a sensor transporter 211 for transporting the line sensor to scan the document on said document table from one reading surface edge during a first reading mode; document feeder 60 for sub-scanning direction feeding each document said document tray such that the document received scanned from another reading surface edge opposite to the one reading surface edge of the document on said document table sub-scanning direction during a second reading mode; and a processing section for processing a reading result said line sensor as image data (Col 5 Lines 26-34; Col 11 Lines 16-25).

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Yamamoto does not disclose expressly; wherein said processing section has a controller for controlling a read start timing to compensate for a read range which may positionally deviate with respect to an identical effective reading area of each document between the first and second reading modes.

Horigome discloses wherein said processing section has a controller for controlling a read start timing to compensate for a read range which may positionally deviate with respect to an identical effective reading area of each document between the first and second reading modes (Col 8 Lines 28-40).

Yamamoto & Horigome are combinable because they are from the same scope of nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Horigome's processing section with the document reading apparatus of Yamamoto.

The suggestion/motivation for doing so would have been as both systems deal with image processing apparatus.

Therefore, it would have been obvious to combine Horigome with Yamamoto to obtain the invention as specified in claims above.

Regarding claim 2, which is representative of claim 12, Yamamoto teaches said document table is transparent (glass table 29); said line sensor disposed below said document table to face a document placed on said document table with a reading surface thereof faced down; and said document feeder 60 configured to feed a document received in said document tray with a reading surface thereof faced up such that the reading surface faces said line sensor (Fig 1; Col 12 Lines 4-19).

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Allowable Subject Matter

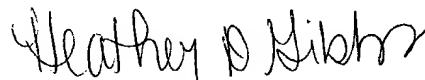
4. Claims 3-10,13-20,22-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 703-306-4152. The examiner can normally be reached on M-F 8AM-4PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Heather D Gibbs
Examiner
Art Unit 2622

hdg



EDWARD COLES
SUPERVISORY PATENT EXAMINER
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